

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BRIAN TOTIN,

Plaintiff,

—against—

LG FAIRMONT, INC., GIANCARLO  
ZABALETA and AHMED KALIL,

Defendants.

**AFFIRMATION IN SUPPORT OF  
REQUEST FOR CLERK'S  
CERTIFICATE OF  
DEFAULT**

Civil Action No. 19-CV-9701 (KPF)

Nicholas Loaknauth, Esq. hereby affirms as follows:

1. I am the attorney for the plaintiff in this action.
2. I am fully familiar with the facts and circumstances stated herein.
3. I make this Affirmation in Support of Plaintiff's Request for Clerk's Certificate of Default against Defendants LG FAIRMONT, INC., GIANCARLO ZABALETA and AHMED KALIL, for failure to answer or appear in this action.
4. This action was commenced pursuant to the filing of a Summons and Complaint on October 21, 2019.
5. The time for defendants, LG FAIRMONT, INC., GIANCARLO ZABALETA and AHMED KALIL, to answer or otherwise move with respect to the complaint herein has expired.
6. Defendants, LG FAIRMONT, INC., GIANCARLO ZABALETA and AHMED KALIL, have not answered or otherwise moved with respect to the complaint, and the time for

defendants, LG FAIRMONT, INC., GIANCARLO ZABALETA and AHMED KALIL, to answer or otherwise move has not been extended.

7. That Defendants, LG FAIRMONT, INC., GIANCARLO ZABALETA and AHMED KALIL, are not infants or incompetent. Defendants, LG FAIRMONT, INC., GIANCARLO ZABALETA and AHMED KALIL, are not presently in the military service of the United States as appears from facts in this litigation.

WHEREFORE, plaintiff Brian Totin requests that the default of Defendants LG FAIRMONT, INC., GIANCARLO ZABALETA and AHMED KALIL, be noted and a certificate of default issued.

I affirm under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the amount claimed is justly due to Plaintiff, and that no part thereof has been paid.

Dated: May 4, 2020  
New York, New York

Nicholas Loaknauth  
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